



VACATIONS OF PUBLIC STREETS AND EASEMENTS

Purpose: The purpose of the procedures for street vacations and easement vacations is to allow the City to vacate streets or easements which are no longer used or needed for public purposes.

Code Reference: California Streets and Highways Code, Chapters 3 and 4.

I understand that my plan review may be delayed if required materials are missing from the submittal package.

Project Applicant

Date

Submittal Requirements:

1. A completed application form including:

Part I: Project information and the current property owner(s) signature authorizing the project proposal.

Part II Reimbursement Agreement with signature of the billing party acknowledging responsibility for charges.

Part III: A list of all consultants proposed to be involved with the project, or a statement that none are proposed to be involved.

Part IV: A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.

Part V: Development Statistics

2. Plans including the following items:

- a. Vicinity map showing a one-half mile radius of the site.

- b. Accurately dimensioned plat of the property indicating the street or easement proposed for vacation.

3. The number of plans required to be submitted with the application are:

Sixteen (16) sets of plans sized at 8-1/2" x 11".

4. Two copies of a current legal description of the street or easement proposed for vacation.
5. Current preliminary title report for the subject property, or a similar document showing the current property owner of the area to be vacated.
6. Two copies of a statement or statements outlining:
 - a. How the easement or street right-of-way was originally acquired;
 - b. The justification for its vacation;
 - c. The proposed use of the site if the vacation should be granted; and
 - d. Existing surrounding land uses.
7. Complete the Impervious Surface Area Calculation Sheet if the lot is $\geq 10,000$ square feet.
8. Environmental Impact Assessment Questionnaire.

Incomplete Applications: An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is determined to be complete.

Hearing Notification: The City will notify all property owners, as well as business and residential tenants within the appropriate radius of your project site. Most projects require a 300-foot radius, while some require 1,000-foot based on the sensitivity of the project and the level of community input anticipated or required.

As with all other costs, you will be billed for staff time to research, create and label the required postcards. If the public hearing is delayed for an extended period of time after notices for your project have been mailed, you will be charged the cost to re-mail postcards.

Schedule Time Line: An application will be assigned to a staff planner within a week of a submittal. A letter will be mailed to you identifying your project planner. During that time, the application will be routed to city staff and outside agencies for their review and comment(s). Approximately two weeks after a project submittal, the project will be reviewed by the City Technical Coordinating Committee (CTCC), for general ordinance and policy compliance. CTCC is made up of City staff, which determine whether application materials are complete and whether additional environmental studies are required.

An applicant meeting will be scheduled for approximately four weeks after the initial submittal. A letter will confirm the applicant meeting. The applicant and other project representatives should plan on attending this meeting. The meeting is with the project planner, who will discuss

any issues identified by CTCC or outside agencies. The project planner will provide a letter identifying any issues with the project either at the meeting or within 30 days of the application submittal and will identify, if necessary additional material needed for the application.

Once the project planner deems an application complete, the application will be tentatively scheduled for a Planning Commission hearing date. The project planner will advise the applicant the necessary materials required for final submittal for the Planning Commission meeting. The final submittal is required 21 days before the hearing date to allow for review report preparation, and proper noticing. The applicant and other project representatives should plan on attending the Planning Commission hearing.

Appeals of Planning Commission Action: Appeals of Planning Commission action are considered by the City Council. Appeals to the City Council must be submitted in writing to the City Clerk within 10 calendar days of the Planning Commission action. Your appeal letter must be accompanied by a \$50 appeal fee and must set forth (a) the specific action appealed from, (b) the specific grounds of the appeal and (c) the relief or action sought from the City Council. For additional details regarding appeals to the City Council, contact the City Clerk's office, 3300 Capitol Avenue, Fremont, CA 94538, phone: (510) 284-4060.

City Council Hearing Date: Planning Commission recommendations for approval are considered by the City Council approximately four to six weeks after the Planning Commission hearing. A summary vacation may be approved by the City Council at a single hearing. A general vacation requires review and approval by the City Council at two separate hearings, three weeks apart.

Fees: The minimum deposit for your application is _____ and is due at the time of submittal. The actual charge will be based on staff time required to process the application. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be invoiced at the completion of the project review if excess funds have been paid.

Requirements described on this sheet are subject to change. If you need additional information or clarification to prepare your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: _____ Phone: (510) 494-_____

for proposal: _____

_____ Date: _____